

REMARKS/ARGUMENTS

In light of the above amendments and following remarks, reconsideration and withdrawal of the rejections of the instant application are respectfully requested.

The instant After-Final Amendment is being made to facilitate prosecution of the application and does not require a further search. Therefore, Applicants respectfully request that the instant Amendment be entered.

I. STATUS OF THE CLAIMS AND RECORD OF TELEPHONE INTERVIEW

Claims 1 and 4-15 are pending in this application and have been rejected in the Office Action. In this response, claim 1 has been amended and claim 15 has been canceled without prejudice to its subsequent prosecution in any continuing application or disclaimer of the proprietary rights set forth therein. No new subject matter is added as a result of the claim amendments.

It is submitted that these claims are patentably distinct from the prior art cited by the Examiner, and that these claims are in full compliance with the requirements of 35 U.S.C. §112. The remarks made herein are not made for the purpose of patentability within the meaning of 35 U.S.C. §§ 101, 102, 103 or 112, but rather the amendments and remarks made herein are simply for clarification and to round out the scope of protection to which Applicants are entitled.

Initially, Applicants would like to thank the Examiner for granting an After-Final telephone interview on March 2, 2006 with Applicants' representatives R. Santucci and A. Mustillo during which the Applicants' representatives discussed the Final Office Action dated December 22, 2005 and the references cited therein. Specifically, Applicants representatives discussed their belief that the clamping ring 63 in U.S. Patent No. 3,178,050 to Doerpinghaus ("Doerpinghaus") does not exert a clamping force on the ring portion 59 and ring receiving

surface 58 (as characterized by the Examiner) thereby clamping the end of the FFCV in place and is instead used to transmit tensional stresses from the outer annular member 58 to the shell 51. The Examiner disagreed.

In response, Applicants representatives proposed amending claim 1 to include that the ring portion and the ring receiving surface remain rotationally fixed with respect to one another when an adjustable clamping force is applied. The Examiner stated that if Applicants further amended claim 1 to include structural limitations related to the clamping device, he would probably enter the Amendment and withdraw the rejections. No agreement as to specific claim language was reached.

II. THE REJECTIONS UNDER 35 U.S.C. § 102(b) 35 U.S.C. § 103(a)

In numbered paragraph 2 of the Office Action, claims 1, 4, 11 and 15 are rejected as allegedly being anticipated by U.S. Patent No. 3,178,050 to Doerpinghaus ("Doerpinghaus"). In paragraph 4 of the Office Action, claims 1 and 4-14 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 2,613,169 to Cunningham ("Cunningham") in view of Doerpinghaus. The rejections are traversed for at least the following reasons.

As recited in revised independent claim 1, the instant invention is directed to, *inter alia*,

a:

clamping mechanism that includes a clamping device for closing said opening, said mechanism having a receiving portion in which said end is inserted between a ring portion having a radially extending member with a curved engaging surface which extends radially outward and a ring receiving surface having a corresponding geometry to said ring portion wherein said ring portion and said ring receiving surface remain rotationally fixed with respect to one another when an adjustable clamping force is exerted by the clamping mechanism clamping said end between said ring portion and said ring receiving surface thereby affixing said mechanism to said end and wherein said clamping device is disposed through an aperture in at least one of said ring portion and said ring

receiving surface and which slidingly engages the at least one aperture in an axial direction.

(Emphasis added). Applicants assert that Doerpinghaus and Cunningham, either alone or in combination, fail to teach or suggest a ring portion and a ring receiving surface that remain "rotationally fixed with respect to one another when an adjustable clamping force is exerted" or a clamping device that "is disposed through an aperture in at least one of said ring portion and said ring receiving surface and which slidingly engages the at least one aperture in an axial direction."

In paragraph 6 of the Office Action, the Examiner asserts that column 9, lines 1-13 of Doerpinghaus discloses that ring portion 59 and ring receiving surface 58 (as characterized by the Examiner) are part of a clamping mechanism. Even if the Applicants agree, which they do not, Applicants assert that Doerpinghaus fails to teach or suggest that a clamping force exerted by clamping ring 63 is adjustable as required by the claims. In addition, Applicants assert that Doerpinghaus fails to teach or suggest that the clamping device is or can be disposed through an aperture in the ring portion or ring receiving surface. Instead, as depicted in Figure 8, the clamping ring 63 is positioned on the exterior surface of the device.

Concerning Cunningham, Applicants assert that the ring portion 54 and the ring receiving surface 56 (as characterized by the Examiner), do not remain rotationally fixed with respect to one another when an adjustable clamping force is applied since, as disclosed, "[t]he nut 56 . . . is engaged with the threaded post 54 and screwed down to clamp the parts firmly in place." *Cunningham*, col. 11, lines 16-19. In addition, because the post 54 and the nut 56 are threaded, Cunningham fails to teach or suggest a clamping device that slidingly engages at least one aperture in an axial direction as required by the instant claims.

For at least the foregoing reasons, since the relied upon portions of Doerpinghaus and

Cunningham fail to teach or suggest each and every limitation of claim 1, either alone or in combination, Applicants respectfully submit that claim 1 patentably distinguishes over the cited references and is therefore allowable. Further, claims 4-14 that depend from claim 1 are allowable therewith.

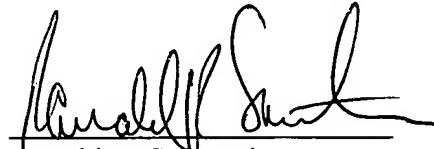
Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicants' undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

CONCLUSION

In view of the foregoing, Applicants submit that the instant claims should be allowed and that the instant application is now in condition for allowance. Applicants further submit that this After-Final Amendment does not require an additional search. Therefore, Applicants respectfully request entry of this After-Final Amendment and favorable reconsideration of the application, withdrawal of the rejections, and prompt issuance of the Notice of Allowance.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 
Ronald R. Santucci
Reg. No. 28,988
(212) 588-0800